

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

FILED
IN COURT
CHARLOTTE, N. C.

JUL 30 2006

CRIMINAL NO. 3:07CR154-C

U. S. DISTRICT COURT
W. DIST. OF N. C.

UNITED STATES OF AMERICA,)
)
Plaintiff,)
v.)
ALVIN WOODY,)
)
Defendant.)

**CONSENT ORDER AND
JUDGMENT OF FORFEITURE**

BASED UPON the defendant's plea of guilty, and finding that there is a substantial nexus between the property listed below and the offense(s) to which the defendant has pled guilty and that the defendant has or had a legal interest in the property, IT IS HEREBY ORDERED THAT:

1. the following property is forfeited to the United States pursuant to 18 U.S.C. §924(d), 18 U.S.C. §982, 18 U.S.C. §3665, 21 U.S.C. §853, 26 U.S.C. §5872, and/or 28 U.S.C. §2461(c):

(a) Real property known as Lot 11, Block 1, Savannah Point Subdivision, Savannah Lakes Village, McCormick County, South Carolina;

(b) Real property known as 1317 Big Brush Creek Road, Yancey County, North Carolina;

(c) One 2004 Bentley Pontoon Boat, Hull ID No. BNT30088F304, and 2003 WESC trailer, VIN IW7B2241431005276;

(d) All funds on deposit in the following certificates or accounts at BB&T in Taylorsville, North Carolina:

No. xxxxxx8706 in the name of Alvin Woody and Mona Woody;

No. xxxxxx9180 in the name of Alvin Woody and Mona Woody;

No. xxxxxx2055 in the name of Alvin Woody and Mona Woody;

No. xxxxxx6147 in the name of Home IV Care of N.C., Inc.;

No. xxxxxx5236 in the name of Home IV Care of N.C., Inc.; and,

(e) All assets in the following brokerage accounts at Principal Financial Group:

No. xxx-xx3998 in the name of Alvin Woody;

No. xxx-xx4004 in the name of Mona Woody; and,

No. xxx-xx3008 in the name of Alvin Woody.

No. xxx-xx6951 in the name of Mona Woody; and,

No. xxx-xx6952 in the name of Alvin Woody.

2. the United States Marshal and/or other property custodian for the investigative agency is authorized to take possession and maintain custody of the above-described tangible property;


3. the United States shall, to the extent practicable, provide direct written notice to any persons known to have alleged an interest in the seized property, and shall publish notice of this forfeiture as required by law;

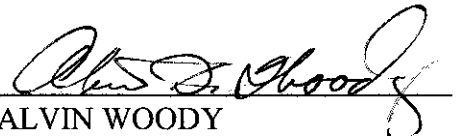
4. any person, other than the defendant, asserting any legal interest in the property may, within thirty days of the publication of notice or the receipt of notice, whichever is earlier, petition the court for a hearing to adjudicate the validity of the alleged interest;


5. following the Court's disposition of all timely petitions filed, a final order of forfeiture shall be entered. If no third party files a timely petition, this order shall become the final order and judgment of forfeiture, as provided by Fed. R. Crim. P. 32.2(c)(2), and the United States shall have clear title to the property, and shall dispose of the property according to law.

The parties stipulate and agree that the aforementioned asset(s) constitute property derived from or traceable to proceeds of defendant's crime(s) herein or property used in any manner to facilitate the commission of such offense(s) and are therefore subject to forfeiture pursuant to 18 U.S.C. §924(d), 18 U.S.C. §982, 21 U.S.C. §853, 26 U.S.C. §5872, and/or 28 U.S.C. §2461(c). The defendant hereby waives the requirements of Fed. R. Crim. P. 32.2 and 43(a) regarding notice of the forfeiture in the charging instrument, announcement of the forfeiture at sentencing, and incorporation of the forfeiture in the judgment against defendant. If the defendant has previously submitted a claim in response to an administrative forfeiture proceeding regarding any of this property, defendant hereby withdraws that claim. If defendant has not previously submitted such a claim, defendant hereby waives all right to do so.

GRETCHEN C. F. SHAPPERT
UNITED STATES ATTORNEY

 7/30/08
MELISSA RIKARD
Assistant United States Attorney

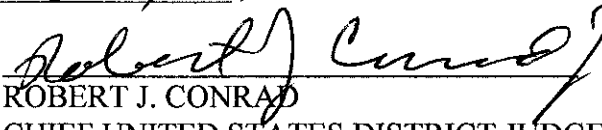

ALVIN WOODY
Defendant


CRAIG GILLEN
Attorney for Defendant

I hereby consent to forfeiture of the assets listed above and waive all right, title and interest I may have in this property, including any right to notice of further proceedings.


MONA WOODY

Signed this the 30 day of July, 2008.


ROBERT J. CONRAD
CHIEF UNITED STATES DISTRICT JUDGE